

*Marian F. Harrison*  
Marian F. Harrison  
US Bankruptcy Judge



Dated: 10/30/2019

IN THE UNITED STATES BANKRUPTCY COURT FOR THE  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

IN RE: )  
 )  
BUDDY EUGENE MOONEYHAN ) CASE NO. 3:19-bk-04413  
 ) JUDGE HARRISON  
Debtor ) CHAPTER 7  
 )  
 ) Relief from stay to enforce lien  
MIDFIRST BANK )  
 )  
Secured Claimant ) Date of Scheduled Hearing:  
 ) October 29, 2019

Affected Collateral: 806 W Spring St., Lebanon, TN 37087

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**AGREED ORDER RESOLVING MOTION FOR RELIEF FROM  
AUTOMATIC STAY AND ABANDONMENT**

The Secured Claimant has moved for relief from the automatic stay in 11 U.S.C. § 362(a) with respect to the Affected Collateral. Following the filing of the Motion for Relief from Automatic Stay and Abandonment by Nationstar Mortgage LLC d/b/a Mr. Cooper, the subject loan was service transferred to MidFirst Bank, who is now the Secured Claimant.

The Chapter 7 Trustee, Robert H. Waldschmidt (the "Trustee") filed a Response to the Motion for Relief from Automatic Stay and Abandonment, which is resolved by this Agreed Order.

IT IS ORDERED that the automatic stay in 11 U.S.C. § 362(a) is terminated with respect to the Secured Claimant and its Affected Collateral.

IT IS FURTHER ORDERED that the Trustee does not abandon any interest in the asset.

IT IS FURTHER ORDERED that Secured Claimant, having relief from the automatic stay, may initiate foreclosure proceedings against the real property securing the security instrument and note. In the event there are any surplus funds, or if the sale of the property results in funds in excess of the amount of the secured claim, then said excess proceeds shall continue to be property of the bankruptcy estate, are not abandoned herein, and shall be turned over to the Trustee by the secured claimant. The turnover of said funds

is without prejudice to claims of potential co-owners, whose claims for funds shall be asserted in this Court.

IT IS FURTHER ORDERED that if Secured Claimant does initiate and complete foreclosure proceedings, they shall provide the Trustee with an accounting of the foreclosure after the sale concludes, regardless of whether such foreclosure yields surplus funds.

IT IS FURTHER ORDERED that the stay in FED. R. BANKR. P. 4001(a)(3) does not apply.

*This Order Was Signed and Entered Electronically as Indicated at the Top of the First Page.*

APPROVED FOR ENTRY:

/s/ Alexandra M. Bradley  
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Chapter 7 Trustee

W&A: 341064

This Order has been electronically signed. The Judge's signature and Court's seal appear at the top of the first page.  
United States Bankruptcy Court.